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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/332,459

06/14/1999

JUSTIN B. MAGARAM

1800

2958

7590

08/15/2006

Law Offices of Albert S Michalik, PLLC  
704-228th Avenue NE  
Ste 193  
Sammamish, WA 98074

EXAMINER

NGUYEN, NGA B

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/332,459

Applicant(s)

MAGARAM ET AL.

Examiner

Nga B. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 April 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-9,11-28 and 31-37 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,3-9,11-28 and 31-37 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 5, 2006 has been entered.
2. Claims 1, 3-9, 11-28, and 31-37 are pending in this application.

### ***Response to Arguments/Amendment***

3. Applicant's arguments with respect to claims 1, 3-9, 11-28, and 31-37 have been considered but are moot in view of new ground of rejections.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-9, 11-28, and 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moran, U.S. Patent No. 6,430,542, in view of Albright et al (hereinafter Albright), U.S. Patent No. 6,012,043.

Regarding to claim 1, Moran discloses a computer-readable medium having computer-executable instructions, comprising:

receiving input of a value corresponding to a first field of a first object that maintains plan data (column 16, lines 25-35; the client's date of death);

receiving additional input corresponding to a second field of a second object that maintains plan data (column 20, lines 20-40; monthly living expenses, or income tax rates, or investment risk tolerance, or household's income, or expenses, etc.);

developing a plan by running a simulation on objects including the first and second objects (column 21, lines 62-column 23, lines 55);

receiving input of a new value for the first field, and developing a new plan by running a simulation on objects that maintain the plan data, including the first and second objects, in which in the new plan, the new value changes the information in the second field (column 16, lines 25-35; changing the client's date of death, running new simulation, monthly living expenses, or income tax rates, or investment risk tolerance, or household's income, or expenses will be changed).

Moran does not disclose receiving input that defines a hierarchical relationship between the first and second objects such that a value in the second field is at least partially based on the first field as a result of the hierarchical relationship, such that the hierarchical relationship is definable by the-user and reconfigurable by the user with regard to the relationship between the first and second objects. However, Albright discloses receiving input that defines a hierarchical relationship between the first and second objects such that a value in the second field is at least partially based on the

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first field as a result of the hierarchical relationship, such that the hierarchical relationship is definable by the-user and reconfigurable by the user with regard to the relationship between the first and second objects (column 8, line 35-column 9, line 12, the customer is asked to rank, in order from 1-3, what the customer is willing to do in terms of adjustments to his or her retirement goals: Save more now, Work longer; and Reduce expenses in retirement). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Moran's to incorporate the teaching of Albright above, for the purpose of allowing the user to define and reconfigure the relationship between the first and second objects, thus the user need not be concerned with the dependencies and relationships among objects and fields.

Regarding to claims 3-8, Moran discloses the plan is a financial plan; the first field represents a date and the second field represents a date based on the first field (column 10, lines 47-60; the date of death and the date of settlement the estate); the first field represents an amount the second field represents a date conditional on the amount represented in the first field (column 20, lines 20-40; e.g. the monthly living expenses and the date of death); the first field represents a rate and the second field represents a date conditional on the rate represented in the first field (column 20, lines 20-40; e.g. the income tax rates and the date of death).

Regarding to claim 9, Moran further discloses receiving input corresponding to an adjustment value related to the second field (column 20, lines 32-36; adjusting the household's income, expenses, cash flow occur upon Melanie's death)

Regarding to claim 11, Moran further discloses associating a plurality of objects in a package object (column 15, lines 1-67; objects are arranged in groups or categories).

Regarding to claims 12-14, Moran further discloses disabling at least one plan element, enabling at least one plan element, and developing a plan by running a simulation includes arranging a list of plan elements that includes enabled elements and excludes disabled elements are (e.g. figure 24, in "PAID AT DEATH" field, disabling or enabling "CRAIG" and "MELANIE").

Regarding to claim 15, Moran further discloses developing a plan by running a simulation includes removing expired elements from the list (column 20, lines 35-40; exclude other goals a household may have prior to Melanie's death).

Regarding to claim 16, Moran further discloses receiving input information includes synchronizing plan elements with data from another program (column 6, line 50-column 7, line 10; importing or exporting files).

Regarding to claim 17, claim 17 contain similar limitations found in claim 1 above, moreover, Moran further discloses disabling at least one object, and developing a plan including running a simulation that excludes each disabled object (e.g. figure 24, in "PAID AT DEATH" field, disabling or enabling "CRAIG" and "MELANIE").

Regarding to claim 18, Moran further discloses providing access to a limited number of objects to a user includes providing a user interface (column 10, lines 60-65; the User Interface 230).

Regarding to claim 19, Moran further discloses enabling a disabled object into an enabled object and running another simulation based on the plan objects including the enabled object (e.g. figure 24, in "PAID AT DEATH" field, disabling or enabling "CRAIG" and "MELANIE").

Regarding to claim 20, claim 20 contain similar limitations found in claim 1 above, moreover, Moran further discloses a user interface for presenting a limited number of plan objects to a user and for receiving data for a first field of a first plan object and data for a second field of a second plan object (column 10, lines 60-65; the User Interface 230).

Claims 21-28, 31-35, and 37 contain similar limitations found in claims 1, 5-8, 12, 13, 16, 19, discussed above, therefore, are rejected by the same rationale.

Claim 36 is written in computer-readable medium that parallel the limitations found in claim 17 above, therefore, is rejected by the same rationale.

### ***Conclusion***

6. Claims **1, 3-9, 11-28, and 31-37** are rejected.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Souh can be reached on (571) 272-6799.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).



NGA NGUYEN  
PRIMARY EXAMINER

June 21, 2006